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EXAMINER

ROSSI, JESSICA

ART UNIT PAPER NUMBER

1733

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

C✓

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/602,473	LIN ET AL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jessica L. Rossi	1733	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 2/8/06, Amendment.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 20-22 and 24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19, 23, 25-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election of Sub-species Ai, Sub-species Bii and Sub-species Biiy in the reply filed on 2/8/06 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. Therefore, claims 20-22 and 24 are withdrawn from further consideration. Claims 1-19, 23 and 25-27 are elected and will be examined in the present action.

### *Claim Rejections - 35 USC § 103*

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-9, 14-15, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss (US 2281635) in view of Warner et al. (US 5422189), the collective teachings of Brennan (US 2289339) and Carter (US 5211792), further in view of Goodman (US 4773958) and Brennan, and also further in view of White (US 5827787, of record).

With respect to claim 1, Strauss teaches a method for making a fluid impermeable translucent laminate that comprises at least one woven scrim layer 12 sandwiched between at least two outer vinyl translucent layers 10 and 11 (p. 1, column 2, lines 5-33). The reference forms the laminate by using a thermoplastic adhesive and passing the scrim and vinyl layers between adjacent heated rollers that press and heat the scrim, vinyl layers and adhesive to bond them together (p. 2, column 1, lines 20-60). One reading Strauss as a whole would have appreciated that the particulars relating to adhesive application (i.e. what layer it is applied to and

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how it is applied) is not critical to the invention (p. 2, column 1, lines 41-60 and column 2, lines 25-40).

It is known in the impermeable translucent laminate art to apply a thermoplastic adhesive to the scrim and/or the outer vinyl translucent layers wherein the adhesive is then activated by heat and pressure to bond the vinyl layers to the scrim, as taught by Warner (column 3, lines 36-40; column 3 line 67 – column 4, line 10; column 10, lines 29-35; column 11, lines 47-54; column 12, lines 35-42).

Whether to apply the adhesive of Strauss to the scrim or vinyl layers would have been within the purview of one having ordinary skill in the art; however, it would have been obvious to apply the adhesive to the scrim because such is known in the art, as taught by Warner, where only the expected results would have been achieved.

It is known in the scrim art to apply a coating, such as an adhesive coating, to the scrim by immersing the scrim in the coating, as taught by the collective teachings of Brennan (Figures 7-8; p. 1, column 2, lines 6-11 and 21-24; p. 2, column 1, lines 65-71) and Carter (Figure 3; column 3, lines 18-21; column 4, lines 21-27), wherein such a coating technique is rapid and convenient (Brennan; p. 1, column 2, lines 21-24; p. 2, column 1, lines 65-71).

Selection of a particular coating technique for the scrim of Strauss would have been within the purview of one having ordinary skill in the art; however, it would have been obvious to immerse the scrim of Strauss in the adhesive to coat the same because such is known in the art, as taught by the collective teachings of Brennan and Carter, where such a coating technique is rapid and convenient.

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The translucent laminate art acknowledges that when adhesively bonding a scrim layer to a translucent plastic sheet, wherein the adhesive can be applied to the scrim and/or plastic sheet, adhesive should not fill the interstices between the warp and fill strands of the scrim so as not to destroy the see-through qualities of the laminate, as taught by Goodman (column 2, lines 28-29 and 38-41 and 47-49; **column 5**, lines 18-27 and 48-50 and 54-60).

Therefore, in light of this acknowledgment in the translucent laminate art, it would have been obvious to substantially remove the adhesive from the interstices between the warp and fill strands of the scrim of Strauss after immersing it in the adhesive because such is known in the scrim coating art, as taught by the already cited reference to Brennan (Figures 7-8; p. 2, column 1, line 65 – p. 2, column 2, line 26), where removing the adhesive from the interstices will prevent the see-through qualities of the laminate from being destroyed.

One reading Strauss as a whole would have readily appreciated that the reference is not limited to a particular adhesive (p. 2, column 1, lines 20-40). Therefore, selection of a particular adhesive would have been within purview of one having ordinary skill in the art; however, it would have been obvious to the skilled artisan at the time of the invention to use a plastisol adhesive to bond the vinyl translucent layers and scrim of Strauss because such is known in the translucent laminate art, as taught by White (column 5, lines 3-29).

Regarding claims 2-5, selection of a material for the scrim would have been within purview of the skilled artisan.

Regarding claim 6, selection of a particular plastisol adhesive would have been within purview of the skilled artisan; it being noted that Applicant's claimed adhesive is well known and conventional.

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Regarding claims 7-8, Strauss teaches such (p. 1, column 2, lines 13-16).

Regarding claim 9, one reading Strauss as a whole would have appreciated that the reference is not concerned with a particular type of vinyl for the translucent layers (p. 1, column 2, lines 5-16). Therefore, selection of particular vinyl layers would have been within purview of the skilled artisan; however, it would have been obvious to use translucent polyvinyl fluoride layers because such is known in the translucent laminate art, as taught by White (column 3, lines 38-39; column 5, lines 49-51).

Regarding claims 14-15, selection of a particular number of strands per inch for the warp and fill of the scrim would have been within purview of one having ordinary skill in the art.

Regarding claim 23, Brennan teaches removing the coating from the interstices by passing the scrim between a pair of rollers to squeeze the coating out (Figure 8; p. 2, column 2, lines 17-26).

Regarding claim 25, after initially removing the coating from the interstices, Brennan then teaches passing a roller, having grooves on its surface which correspond to the size and pattern of the scrim, over the scrim (Figures 11-13; p. 2, column 2, lines 40-62), wherein the skilled artisan would have appreciated any coating left in the interstices being removed by this roller.

5. Claims 10-11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss, Warner et al., the collective teachings of Brennan and Carter, Goodman and Brennan, and also White as applied to claim 1 above, and further in view of Eysel (US 6468928, of record).

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Regarding claims 10-11, selection of a particular thickness for the vinyl layers would have been within purview of the skilled artisan. However, it would have been obvious to the skilled artisan to use vinyl layers having a thickness that falls within Applicant's claimed ranges because such is known in the art, as taught by Eysel (column 2, lines 64-65).

Regarding claim 17, it would have been obvious to the skilled artisan to tint the laminate because such is known in the translucent laminate art, as taught by the collective teachings of Eysel (column 2, lines 27 and 57-60) and White (column 5, lines 11-14 and 24-26), where this imparts certain desirable characteristics to the laminate.

6. Claims 16, 18 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss, Warner et al., the collective teachings of Brennan and Carter, Goodman and Brennan, and also White as applied to claim 1 above, and further in view of Burton et al. (US 2003/0114055).

Regarding claims 16 and 26-27, selection of a particular device for heating the vinyl layers, scrim and adhesive and selection of a heating time and temperature would have been within purview of the skilled artisan depending on the materials used; it being noted that heating in an oven is well known and conventional and separately heating a scrim layer and outer vinyl layers before bringing them together for lamination is also known in the art, as taught by Burton (Figure 3; sections [00230024]; teaches pre-heating adhesive-coated vinyl layer 12 on heated roller 42, pre-heating scrim 16 on heated roller 44, pre-heating vinyl layer 14 on heated roller 44 and then heating all the layers on heated roller 44 during lamination), where this allows the heating temperature and time to be catered toward the individual layers so the most effective bonding conditions can be achieved for lamination.

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With respect to claim 18, it is noted this claim is a combination restating all the limitations set forth in claims 1, 6, 16 and 25.

7. Claims 1-9, 14-15, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warner et al. in view of Strauss, the collective teachings of Brennan and Carter, further in view of Goodman and Brennan, and also further in view of White.

With respect to claim 1, Applicant is directed to paragraph 4 above for a complete discussion of all the references. Warner teaches all the limitations but it is unclear as to whether the reference teaches the scrim being woven, immersing the scrim in a plastisol adhesive, substantially removing the adhesive from the interstices, heating the scrim and adhesive, heating the vinyl layers, and passing the scrim and vinyl layers between adjacent rollers under pressure and heat to bond the same.

One reading Warner as whole would have appreciated that the reference is not concerned with the scrim being woven or non-woven; therefore, it would have been obvious to one having ordinary skill in the art to use a woven scrim because such is known in the translucent laminate art, as taught by Strauss (see paragraph 4 above).

As for using a plastisol adhesive and substantially removing adhesive from the interstices, Warner is being modified in the same manner that Strauss was modified in paragraph 4 above to render these limitations obvious.

As for heating the scrim and adhesive, heating the vinyl layers and passing the scrim and vinyl layers between adjacent rollers under pressure and heat to bond the same, such is known in the translucent laminate art, as taught by Strauss (see paragraph 4 above), and therefore would



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have been an obvious lamination technique because it allows for a continuous process (Strauss; p. 2, column 1, lines 41-51).

Regarding claims 2-5, selection of a material for the scrim would have been within purview of the skilled artisan.

Regarding claim 6, selection of a particular plastisol adhesive would have been within purview of the skilled artisan; it being noted that Applicant's claimed adhesive is well known and conventional.

Regarding claims 7-8, Warner teaches such (column 10, lines 29-34).

Regarding claim 9, one reading Warner as a whole would have appreciated that the reference is not concerned with a particular type of vinyl for the translucent layers. Therefore, selection of particular vinyl layers would have been within purview of the skilled artisan; however, it would have been obvious to use translucent polyvinyl fluoride layers because such is known in the translucent laminate art, as taught by White (column 3, lines 38-39; column 5, lines 49-51).

Regarding claims 14-15, selection of a particular number of strands per inch for the warp and fill of the scrim would have been within purview of one having ordinary skill in the art.

Regarding claim 23, Brennan teaches removing the coating from the interstices by passing the scrim between a pair of rollers to squeeze the coating out (Figure 8; p. 2, column 2, lines 17-26).

Regarding claim 25, after initially removing the coating from the interstices, Brennan then teaches passing a roller, having grooves on its surface which correspond to the size and pattern of the scrim, over the scrim (Figures 11-13; p. 2, column 2, lines 40-62), wherein the

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skilled artisan would have appreciated any coating left in the interstices being removed by this roller.

8. Claims 10-11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warner et al., Strauss, the collective teachings of Brennan and Carter, Goodman and Brennan, and also White, as applied to claim 1 above, and further in view of Eysel.

Regarding claims 10-11, selection of a particular thickness for the vinyl layers would have been within purview of the skilled artisan. However, it would have been obvious to the skilled artisan to use vinyl layers having a thickness that falls within Applicant's claimed ranges because such is known in the art, as taught by Eysel (column 2, lines 64-65).

Regarding claim 17, it would have been obvious to the skilled artisan to tint the laminate because such is known in the translucent laminate art, as taught by the collective teachings of Eysel (column 2, lines 27 and 57-60) and White (column 5, lines 11-14 and 24-26), where this imparts certain desirable characteristics to the laminate.

9. Claims 16, 18 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warner et al., Strauss, the collective teachings of Brennan and Carter, Goodman and Brennan, and also White, as applied to claim 1 above, and further in view of Burton et al.

Regarding claims 16 and 26-27, selection of a particular device for heating the vinyl layers, scrim and adhesive and selection of a heating time and temperature would have been within purview of the skilled artisan depending on the materials used; it being noted that heating in an oven is well known and conventional and separately heating a scrim layer and outer vinyl layers before bringing them together for lamination is also known in the art, as taught by Burton (Figure 3; sections [00230024]; teaches pre-heating adhesive-coated vinyl layer 12 on heated

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roller 42, pre-heating scrim 16 on heated roller 44, pre-heating vinyl layer 14 on heated roller 44 and then heating all the layers on heated roller 44 during lamination), where this allows the heating temperature and time to be catered toward the individual layers so the most effective bonding conditions can be achieved for lamination.

With respect to claim 18, it is noted this claim is a combination restating all the limitations set forth in claims 1, 6, 16 and 25.

10. Claims 1-11, 17, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Admitted Prior Art in the specification of the present application in view of the collective teachings of Eysel and White, further in view of Warner et al., further in view of the collective teachings of Brennan and Carter, further in view of Goodman and Brennan, and also further in view of Strauss.

With respect to claim 1, it appears Applicant is teaching it being known in the art to make a fluid impermeable translucent laminate comprising at least one woven scrim layer disposed between at least two outer translucent layers wherein the method comprises coating one or more of the layers with an adhesive and heating and pressing the layers to form the laminate (p. 3, lines 1- 7). It is unclear as to whether the Admitted Prior Art teaches the translucent layers being vinyl, immersing the scrim in a plastisol adhesive, substantially removing the adhesive from the interstices, and passing the scrim and vinyl layers between adjacent rollers under pressure and heat to bond the same.

Selection of particular translucent layers would have been within purview of one having ordinary skill in the art depending on the desired characteristics of the laminate. However, it would have been obvious to use translucent vinyl layers because it is known in the art to form a

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translucent laminate comprising a woven scrim disposed between at least two outer vinyl translucent layers, as taught by the collective teachings of Eysel (abstract; column 1, lines 37-41; column 2, lines 36-37 and 48-49) and White (abstract; column 3, lines 20-40; column 4, lines 42-45; column 5, lines 3-30).

It is known in the impermeable translucent laminate art to apply an adhesive to the scrim and/or the outer vinyl translucent layers wherein the adhesive is then activated by heat and pressure to bond the vinyl layers to the scrim, as taught by Warner (column 3, lines 36-40; column 3 line 67 – column 4, line 10; column 10, lines 29-35; column 11, lines 47-54; column 12, lines 35-42).

Whether to apply the adhesive of the Admitted Prior Art to the scrim or vinyl layers would have been within the purview of one having ordinary skill in the art; however, it would have been obvious to apply the adhesive to the scrim because such is known in the art, as taught by Warner, where only the expected results would have been achieved.

It is known in the scrim art to apply a coating, such as an adhesive coating, to the scrim by immersing the scrim in the coating, as taught by the collective teachings of Brennan (Figures 7-8; p. 1, column 2, lines 6-11 and 21-24; p. 2, column 1, lines 65-71) and Carter (Figure 3; column 3, lines 18-21; column 4, lines 21-27), wherein such a coating technique is rapid and convenient (Brennan; p. 1, column 2, lines 21-24; p. 2, column 1, lines 65-71).

Selection of a particular coating technique for the scrim of the Admitted Prior Art would have been within the purview of one having ordinary skill in the art; however, it would have been obvious to immerse the scrim of the Admitted Prior Art in the adhesive to coat the same

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because such is known in the art, as taught by the collective teachings of Brennan and Carter, where such a coating technique is rapid and convenient.

The translucent laminate art acknowledges that when adhesively bonding a scrim layer to a translucent plastic sheet, wherein the adhesive can be applied to the scrim and/or plastic sheet, adhesive should not fill the interstices between the warp and fill strands of the scrim so as not to destroy the see-through qualities of the laminate, as taught by Goodman (column 2, lines 28-29 and 38-41 and 47-49; **column 5**, lines 18-27 and 48-50 and **54-60**).

Therefore, in light of this acknowledgment in the translucent laminate art, it would have been obvious to substantially remove the adhesive from the interstices between the warp and fill strands of the scrim of the Admitted Prior Art after immersing it in the adhesive because such is known in the scrim coating art, as taught by the already cited reference to Brennan (Figures 7-8; p. 2, column 1, line 65 – p. 2, column 2, line 26), where removing the adhesive from the interstices will prevent the see-through qualities of the laminate from being destroyed.

Selection of a particular adhesive would have been within purview of one having ordinary skill in the art; however, it would have been obvious to use a plastisol adhesive to bond the vinyl translucent layers and scrim of the Admitted Prior Art because such is known in the translucent laminate art, as taught by White (column 5, lines 3-29).

As for passing the scrim and vinyl layers between adjacent rollers under pressure and heat to bond the same, such is known in the translucent laminate art, as taught by Strauss (see paragraph 4 above), and therefore would have been an obvious lamination technique because it allows for a continuous process (Strauss; p. 2, column 1, lines 41-51).

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Regarding claims 2-5, selection of a material for the scrim would have been within purview of the skilled artisan. However, the selection of materials being claimed by Applicant would have been obvious as such materials are known in the art, as taught by the collective teachings of Eysel (column 2, lines 21-23) and White (column 5, lines 5-6).

Regarding claim 6, selection of a particular plastisol adhesive would have been within purview of the skilled artisan; it being noted that Applicant's claimed adhesive is well known and conventional.

Regarding claims 7-9, selection of particular vinyl layers would have been within purview of the skilled artisan. However, it would have been obvious to use translucent vinyl layers like those being claimed by Applicant because such is known in the art, as taught by the collective teachings of Eysel (column 2, lines 48-49) and White (column 5, lines 13-14 and 25-26 and 49-51).

Regarding claims 10-11, selection of a particular thickness for the vinyl layers would have been within purview of the skilled artisan. However, it would have been obvious to the skilled artisan to use vinyl layers having a thickness that falls within Applicant's claimed ranges because such is known in the art, as taught by Eysel (column 2, lines 64-65).

Regarding claim 17, it would have been obvious to the skilled artisan to tint the laminate because such is known in the translucent laminate art, as taught by the collective teachings of Eysel (column 2, lines 27 and 57-60) and White (column 5, lines 11-14 and 24-26), where this imparts certain desirable characteristics to the laminate.

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Regarding claim 23, Brennan teaches removing the coating from the interstices by passing the scrim between a pair of rollers to squeeze the coating out (Figure 8; p. 2, column 2, lines 17-26).

Regarding claim 25, after initially removing the coating from the interstices, Brennan then teaches passing a roller, having grooves on its surface which correspond to the size and pattern of the scrim, over the scrim (Figures 11-13; p. 2, column 2, lines 40-62), wherein the skilled artisan would have appreciated any coating left in the interstices being removed by this roller.

11. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Admitted Prior Art, the collective teachings of Eysel and White, Warner et al., the collective teachings of Brennan and Carter, Goodman and Brennan, and also Strauss, as applied to claim 1 above, and further in view of Gray et al. (US 5707904, of record).

Regarding claims 12-13, selection of a particular denier for the scrim would have been within purview of the skilled artisan. However, it would have been obvious to use a scrim having a denier that falls within Applicant's claimed ranges because such is known in the art, as taught by Gray (column 3, lines 12-19).

Regarding claims 14-15, selection of a particular number of strands per inch for the warp and fill of the scrim would have been within purview of the skilled artisan. However, it would have been obvious to use a number of strands per inch for the warp and fill of the scrim that falls within Applicant's claimed ranges because such is known in the art, as taught by Gray (column 3, lines 22-23).

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12. Claims 16, 18 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Admitted Prior Art, the collective teachings of Eysel and White, Warner et al., the collective teachings of Brennan and Carter, Goodman and Brennan, and also Strauss, as applied to claim 1 above, and further in view of Burton et al.

Regarding claims 16 and 26-27, selection of a particular device for heating the vinyl layers, scrim and adhesive and selection of a heating time and temperature would have been within purview of the skilled artisan depending on the materials used; it being noted that heating in an oven is well known and conventional and separately heating a scrim layer and outer vinyl layers before bringing them together for lamination is also known in the art, as taught by Burton (Figure 3; sections [00230024]; teaches pre-heating adhesive-coated vinyl layer 12 on heated roller 42, pre-heating scrim 16 on heated roller 44, pre-heating vinyl layer 14 on heated roller 44 and then heating all the layers on heated roller 44 during lamination), where this allows the heating temperature and time to be catered toward the individual layers so the most effective bonding conditions can be achieved for lamination.

With respect to claim 18, it is noted this claim is a combination restating all the limitations set forth in claims 1, 6, 16 and 25.

13. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Admitted Prior Art, the collective teachings of Eysel and White, Warner et al., the collective teachings of Brennan and Carter, Goodman and Brennan, Strauss and also Burton et al., as applied to claims 16 and 18 above, and further in view of Gray et al.

With respect to claim 19, it is noted this claim is a combination restating all the limitations set forth in claims 1, 6, 12-16 and 18.



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*Response to Arguments*

14. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jessica L. Rossi** whose telephone number is **571-272-1223**. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard D. Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**JESSICA ROSSI**  
**PRIMARY EXAMINER**

